

Agenda Date: 2-01-06

Agenda Item: VII-A



**STATE OF NEW JERSEY**

**Board of Public Utilities**

**Two Gateway Center**

**Newark, NJ 07102**

**www.bpu.state.nj.us**

Customer Assistance

IN THE MATTER OF BENJAMIN LEVINE,  
PETITIONER v. PUBLIC SERVICE )  
ELECTRIC AND GAS COMPANY, )  
RESPONDENT )

ORDER ADOPTING  
INITIAL DECISION

BPU Docket No. EC05010049U

OAL Docket No. PUC 2703-05

(SERVICE LIST ATTACHED)

BY THE BOARD:

On February 1, 2005, Benjamin Levine (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing in regard to a billing dispute with Public Service Electric and Gas Co. (Respondent).

On March 29, 2005, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Douglas H. Hurd.

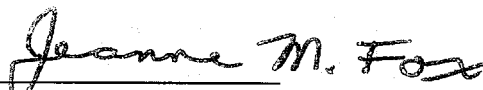
During the pendency of this matter at the OAL, the parties engaged in negotiations and reached a settlement. The settlement was submitted to the ALJ for review. On December 16, 2005, ALJ Hurd filed his Initial Decision with the Board, memorializing the terms of the settlement and recommending that it be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.

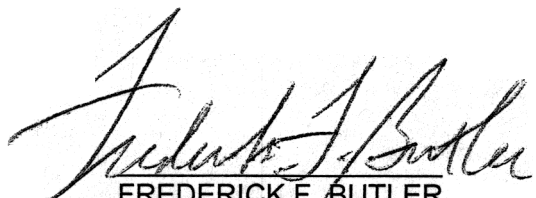
Under the terms of the settlement, PSE&G agrees to reduce Petitioner's remaining balance to \$1,500.00. Petitioner agrees to pay PSE&G \$200.00 per month for seven months and \$100.00 in the eighth month and also agrees to pay the \$562.49 November bill and ongoing monthly charges.

After review, the Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED: 2/2/06

BOARD OF PUBLIC UTILITIES  
BY:

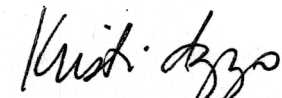
  
JEANNE M. FOX  
PRESIDENT

  
FREDERICK F. BUTLER  
COMMISSIONER

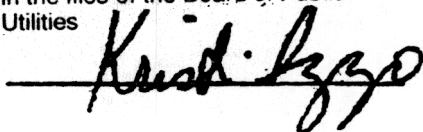
  
CONNIE O. HUGHES  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



- 2 -

BPU Docket No. EC05010049U  
OAL Dkt. No. PUC 2703-05

Benjamin Levine v. Public Service Electric and Gas Company

BPU Docket No. EC05010049U  
OAL Dkt. No. PUC 2703-05

**SERVICE LIST**

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Newark, NJ 07102

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Division of Law  
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Newark, NJ 07102



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

CMS  
BESLOW  
RPA  
SLATKY, J  
HILARIO, P  
STARK (2)

**INITIAL DECISION**

**SETTLEMENT**

OAL DKT. NO. PUC 2703-05

AGENCY DKT. NO. EC05010049U

**BENJAMIN LEVINE,**

Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND  
GAS COMPANY,**

Respondent.



**Benjamin Levin**, petitioner, *pro se*

**Joseph Priddy, Esq.**, for respondent

Record Closed: December 14, 2005

Decided: December 16, 2005

**BEFORE DOUGLAS H. HURD, ALJ:**

This matter was transmitted to the Office of Administrative Law on April 29, 2005, for determination as a contested case, pursuant to *N.J.S.A. 52:14B-1 to -15* and *N.J.S.A. 52:14F-1 to -13*.

The parties have agreed to a settlement and have prepared a Settlement Agreement indicating the terms thereof, which is attached and fully incorporated herein.

have reviewed the record and the terms of settlement and I **FIND**

The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures.

2. The settlement fully disposes of all issues in controversy and is consistent with the law.

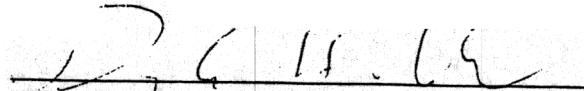
**CONCLUDE** that this agreement meets the requirements of *N.J.A.C. 1:1-19.1* and that the settlement should be approved. I approve the settlement and therefore **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with *N.J.S.A. 52:14B-10*.


December 16, 2005

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
**DOUGLAS H. HURD, ALJ**

Receipt Acknowledged:

12/29/05  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
**BOARD OF PUBLIC UTILITIES**

Mailed to Parties:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
**OFFICE OF ADMINISTRATIVE LAW**

/lam

The matter of Benjamin Levine v Public Service  
Electric and Gas Company (CA Docket No P 000  
0270 2004 N) the parties have agreed to settle  
dispute in accordance with the following  
terms

The outstanding balance on Dr. Levine's account as  
of ~~November~~ 7 2005 \$ 8233 This amount  
includes \$562.49 which was billed to Dr. Levine  
on November 10 2005 For settlement purposes this  
amount not included the settlement offer  
PSE&G agrees to reduce the remaining balance by  
\$705 representing late payment charges billed to  
the account and \$56 representing field collection  
charges By reducing the outstanding balance by  
way of 2

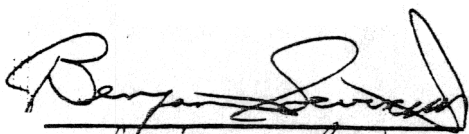
these three amounts Dr. Levine main-  
outstanding balance \$1508.84 which PSE+G  
agrees to round down to \$1500

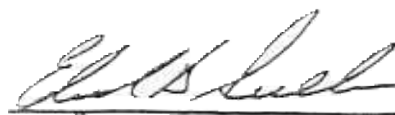
Dr. Levine agrees to pay \$200 a month for seven months  
and \$100 as last payment in the eighth month. The  
first \$200 payment will be due on January 15, 2006 and  
on the fifteenth of every month thereafter until the ~~settled~~ amount is paid in full.  
Dr. Levine agrees to pay the \$562.49 November 10 bill  
before December 3, 2005. Dr. Levine also agrees to pay

full all monthly charges when due beginning with  
the December bill which will be issued by PSE+G  
within the next two weeks.

Accordingly, Petitioner and Respondent agree to withdraw the petition in  
this matter.  
Agreed to by the parties this fourteenth day of December

2005.

  
Benjamin Levine

  
PSE+G

page 2 of 2